



96700/595

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: David E. Weinstein
Serial No.: 09/479,145
Filed: January 7, 2000
For: NOVEL GROWTH FACTOR OPA1 AND USES THEREOF
Group Art Unit: 1647
Examiner: Robert C. Hayes, Ph.D.

TECH CENTER 1600/2900

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COMMUNICATION IN RESPONSE TO MARCH 7, 2001 OFFICE ACTION AND
INVENTION DISCLOSURE STATEMENT

Commissioner for Patents
Washington, D.C. 20231

"Express Mail" mailing label No.EL613248092US

Date of Deposit: April 9, 2001

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

Name: Lisa M. Melanson

Signature: *Lisa M. Melanson*

Sir:

This Communication is submitted in response to the Office Action issued on March 7, 2001 in connection with the above-identified application. A response to the Office Action was due on April 7, 2001. However, since April 7, 2001 fell on a Saturday, a response filed the next following business day, namely, April 9, 2001, is considered timely pursuant to 37 C.F.R. §1.7. Accordingly, this Communication is being timely filed.

Restriction Requirement

In response to the Restriction Requirement set forth in the Office Action, applicant's undersigned attorney, on behalf of applicant, hereby elects to prosecute

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Information Disclosure Statement

Pursuant to 37 C.F.R. §§ 1.56, 1.97, and 1.98, applicant encloses herewith Forms PTO/SB/08A and PTO/SB/08B, containing references which may be deemed relevant to the above-identified application, along with a copy of each of the references cited therein. The enclosed items are made of record to assist the U.S. Patent and Trademark Office in its examination of the above-identified application. The Examiner is respectfully requested fully to consider the enclosed items, and independently to assess their teachings.

No fee, other than the \$180.00 fee for filing an Information Disclosure Statement, is deemed necessary in connection with the filing of this Communication. If any additional fee is required to consider the Invention Disclosure Statement or to preserve the pendency of this application, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 01-1785.

Respectfully submitted,

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Dated: April 9, 2001
New York, New York

By: Craig J. Arnold
Craig J. Arnold
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